UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,249	03/31/2004	Hiroki Okabe	ITECP013	9183

25920 7590 03/17/2008

MARTINE PENILLA & GENCARELLA, LLP
710 LAKEWAY DRIVE
SUITE 200
SUNNYVALE, CA 94085

EXAMINER	
BECKLEY, JONATHAN R	

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
03/17/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/816,249	OKABE ET AL.	
	Examiner	Art Unit	
	JONATHAN R. BECKLEY	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *31 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☒ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *02/27/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1 - 20** are **rejected** under **35 U.S.C. 102(b)** as being anticipated by **Barry et al. (Patent Number 5,859,711)**.

3. Regarding **Claim 1, Barry** teaches a print management system **(See systems featured in Figure 1 and Figure 2; Column 3, lines 14-17)** that allocates **(element 422)** each print demand to one of multiple printing devices **(elements 408 {print engines}) (See Figure 15)**, which print an image on a medium like printing paper **(Column 16, lines 34-45)**, said print management system comprising:

a print demand acceptance module **(shown in block diagram of Figure 14)** that receives a print demand including at least one image printing request **(Column 16, lines 4-10)**; and

a print allocation module **(See Figure 15, elements 422 and 424)** that, when the received print demand includes plural printing requests for printing an at least partially identical image plural times **(Column 14, lines 49-56)**, allocates the plural printing requests for printing the at least partially identical image plural times to one identical printing device **(Column 14, lines 4-7; Column 14, line**

48 - Column 15, line 25; and Column 19, lines 43 - Column 20, line 18; Note: Barry discloses a system which can separate a document according to certain attributes of the document, in which Barry uses an example of color versus monochrome printing, and in which these attributes can be separated and directed to particular devices according to the parameters of the printing device and the documents attributes. Barry also explains this process can be done automatically or be user defined to decide how to distribute between the printing devices used).

Regarding **Claim 2, Barry** further discloses each of the printing requests included in the print demand has identification information for identifying an image to be printed **(Column 19, lines 45-49; Column 31, lines 38-56; Column 32, lines 23-27; See Figures 9, 31, and 32; Noted: Barry disclose identification information; even though it is not directly disclosed, this information is assumed to be information such as metadata, or data about data, of a file which is known in the art at the time of the invention to be incorporated with files and print files and print jobs in a print request to be printed)**, and

said print allocation module allocates multiple printing requests for printing at least an image having an identical piece of the information to one identical printing device **(Column 14, lines 4-7; Column 14, line 48 - Column 15, line 25; and Column 19, lines 43—65; Note: Barry discloses a system which can separate a document according to certain attributes of the**

document, in which Barry uses an example of color versus monochrome printing, and in which these attributes can be separated and directed to particular devices according to the parameters of the printing device and the documents attributes. Barry also explains this process can be done automatically or be user defined to decide how to distribute between the printing devices used).

Regarding **Claim 3, Barry** further discloses the identification information includes at least one of a file name of each image, identification information for identifying a digital camera used to record the image, date of recording the image with the digital camera, and a data size of the image **(Column 16, lines 4-10; and Column 16, line 65 – Column 17, line 6; Noted: Examiner again points to the understanding of "metadata associated with a file, print file, or print job" that is known in the art at the time of the invention; metadata clearly contains and anticipates information to identify a file name and a file data size)**.

Regarding **Claim 4, Barry** further discloses a printing request number detection module that detects a number of printing requests allocated to each of the multiple printing devices **(See Figure 5; and Column 8, line 64- Column 9, line 10)**,

wherein each of the multiple printing devices accepts allocation of printing requests from said print management system to a preset number and successively executes the preset number of printing requests **(Column 8,**

line 64- Column 9, line 10; and Column 11, line 65 – Column 12, line 14), and

said print allocation module allocates a printing request on the condition that any of the detected numbers of printing requests allocated to the multiple printing devices is less than the preset number **(See steps of Figure 5; and Column 8, lines 39-63)**.

Regarding **Claim 5, Barry** further discloses when there are plural printing devices having the number of allocated printing requests less than the preset number, allocates a printing request to the printing device having a less number of allocated printing requests **(Column 8, line 39 – Colum 9, line 10; Column 23, lines 36-50); and See steps of Figure 5)**.

Regarding **Claim 6, Barry** teaches a print management system **(See systems featured in Figure 1 and Figure 2; Column 3, lines 14-17)** that allocates **(element 422)** each print demand to one of multiple printing devices **(elements 408) (See Figure 15)**, which print an image on a medium like printing paper **(Column 16, lines 34-45)**, said print management system comprising:

a print demand acceptance module **(shown in block diagram of Figure 14) that** receives a print demand **(Column 16, lines 4-10)**; and

a print allocation module **(See Figure 15, elements 422 and 424)** that, when the received print demand includes a printing request for printing an at least

partially identical image with an allocated image of another printing request **(Column 14, lines 49-56; and Figure 12)**, which has already been allocated to any of the multiple printing devices, allocates the printing request for printing the at least partially identical image to a relevant printing device, to which the printing request for printing the allocated image has already been allocated **(Column 14, lines 4-9; Column 14, line 48 – Column 15, line 25; and Column 22, lines 41-57; Barry discloses a system which can separate a document according to certain attributes of the document, in which Barry uses an example of color versus monochrome printing, and in which these attributes can be separated and directed to particular devices according to the parameters of the printing device and the documents attributes. Barry also explains this process can be done automatically or be user defined to decide how to distribute between the printing devices used. In Barry, if two printers were being used, one color for color printing and one for monochrome printing, each separated color and monochrome or other distinguished identification attribute would be printed to the device accordingly)**.

Regarding **Claim 7, Barry** further discloses each of the printing requests included in the print demand has image identification information for identifying an image to be printed **(Column 19, lines 45-49; Column 31, lines 38-56; Column 32, lines 23-27; See Figures 9, 31, and 32; Noted: Barry disclose identification**

information; even though it is not directly disclosed, this information is assumed to be information such as metadata, or data about data, of a file which is known in the art at the time of the invention to be incorporated with files and print files and print jobs in a print request to be printed),

said print management system further comprising: an information storage module **(Column 2, lines 56-57; See "memory" element 414)** that stores the image information for the allocated image and the relevant printing device, to which the printing request for printing the allocated image has already been allocated **(Column 16, line 64 - Column 17, line 6)**,

wherein said print allocation module allocates a printing request for printing an image having an identical piece of the image information with the stored image information for identifying the allocated image to the stored relevant printing device, to which the printing request for printing the allocated image has already been allocated **(Column 14, lines 4-9; Column 14, line 48 – Column 15, line 25; and Column 22, lines 41-57; Barry discloses a system which can separate a document according to certain attributes of the document, in which Barry uses an example of color versus monochrome printing, and in which these attributes can be separated and directed to particular devices according to the parameters of the printing device and the documents attributes. Barry also explains this process can be done automatically or be user defined to decide how to distribute between the printing devices used. In Barry, if two printers**

were being used, one color for color printing and one for monochrome printing, each separated color and monochrome or other identification distinguished attribute would be printed to the device accordingly).

Regarding **Claim 8, Barry** further discloses the identification information includes at least one of a file name of each image, identification information for identifying a digital camera used to record the image, date of recording the image with the digital camera, and a data size of the image **(Column 16, lines 4-10; and Column 16, line 65 – Column 17, line 6; Noted: Examiner again points to the understanding of "metadata associated with a file, print file, or print job" that is known in the art at the time of the invention; metadata clearly contains and anticipates information to identify a file name and a file data size)**.

Regarding **Claim 9, Barry** further discloses each of the printing requests included in the print demand has customer identification information for identifying a customer who demands printing of an image **(Column 16, lines 4-12; and Column 16, line 64 - Column 17, line 6),**

said information storage module **(Column 2, lines 56-57; See "memory" element 414)** stores the customer identification information with regard to the allocated image **(Column 16, lines 4-12; and Column 16, line 64 - Column 17, line 6)**, and

said print allocation module allocates a printing request for printing an image having an identical piece of the image identification information with the stored image identification information for identifying the allocated image and an identical piece of the customer identification information with the stored customer identification information with regard to the allocated image to the stored relevant printing device, to which the printing request for printing the allocated image has already been allocated**(Column 14, lines 4-9; Column 14, line 48 – Column 15, line 25; and Column 22, lines 41-57; Barry discloses a system which can separate a document according to certain attributes of the document, in which Barry uses an example of color versus monochrome printing, and in which these attributes can be separated and directed to particular devices according to the parameters of the printing device and the documents attributes. Barry also explains this process can be done automatically or be user defined to decide how to distribute between the printing devices used. In Barry, if two printers were being used, one color for color printing and one for monochrome printing, each separated color and monochrome or other identification distinguished attribute would be printed to the device accordingly)**..

Regarding **Claim 10, Barry** further discloses a printing request number detection module that detects a number of printing requests allocated to each of the multiple printing devices **(See Figure 5; and Column 8, line 64- Column 9, line 10)**,

wherein each of the multiple printing devices accepts allocation of printing requests from said print management system to a preset number and successively executes the preset number of printing requests **(Column 8, line 64- Column 9, line 10; and Column 11, line 65 – Column 12, line 14)**, and

said print allocation module allocates a printing request on the condition that any of the detected numbers of printing requests allocated to the multiple printing devices is less than the preset number **(See steps of Figure 5; and Column 8, lines 39-63)**.

Regarding **Claim 11, Barry** further discloses when there are plural printing devices having the number of allocated printing requests less than the preset number, allocates a printing request to the printing device having a less number of allocated printing requests **(Column 8, line 39 – Colum 9, line 10; Column 23, lines 36-50); and See steps of Figure 5)**.

Regarding **Claim 12, Barry teaches** a print management system **(See systems featured in Figure 1 and Figure 2; Column 3, lines 14-17)** that allocates **(element 422)** each print demand to one of multiple printing devices **(elements 408) (See Figure**

15), which print an image on a medium like printing paper **(Column 16, lines 34-45)**, said print management system comprising:

a print demand acceptance module **(shown in block diagram of Figure 14)**that receives a print demand **(Column 16, lines 4-10)** including at least one image printing request with settings of a number of pages and number of copies to be printed **(Column 11, line 65 – Column 12, line 14)**; and

a print allocation module **(See Figure 15, elements 422 and 424)** that allocates the received print demand as a whole or in units of pages to one of the multiple printing devices **(Column 2, lines 54-56)**.

Regarding **Claim 13, Barry** further discloses a printing request number detection module that detects a number of printing requests allocated to each of the multiple printing devices **(See Figure 5; and Column 8, line 64- Column 9, line 10)**,

wherein each of the multiple printing devices accepts allocation of printing requests from said print management system to a preset number and successively executes the preset number of printing requests **(Column 8, line 64- Column 9, line 10; and Column 11, line 65 – Column 12, line 14)**, and

said print allocation module allocates a printing request on the condition that any of the detected numbers of printing requests allocated to the multiple printing devices is less than the preset number **(See steps of Figure 5; and Column 8, lines 39-63)**.

Regarding **Claim 14, Barry** further discloses when there are plural printing devices having the number of allocated printing requests less than the preset number, allocates a printing request to the printing device having a less number of allocated printing requests **(Column 8, line 39 – Colum 9, line 10; Column 23, lines 36-50); and See steps of Figure 5)**.

Regarding **Claim 15, Barry** teaches a print management system **(See systems featured in Figure 1 and Figure 2; Column 3, lines 14-17)** that allocates **(element 422)** each print demand to one of multiple printing devices **(elements 408) (See Figure 15)**, which print an image on a medium like printing paper **(Column 16, lines 34-45)**, said print management system comprising:

(a) receiving a print demand including at least one image printing request **(Column 16, lines 4-10)**; and

(b) when the received print demand includes plural printing requests for printing an at least partially identical image plural times **(Column 14, lines 49-56)**, allocating the plural printing requests for printing the at least partially identical image plural times to one identical printing device **(Column 14, lines 4-7; Column 14, line 48 - Column 15, line 25; and Column 19, lines 43—65; Note: Barry discloses a system which can separate a document according to certain attributes of the document, in which Barry uses an example of color versus monochrome printing, and in which these**

attributes can be separated and directed to particular devices according to the parameters of the printing device and the documents attributes. Barry also explains this process can be done automatically or be user defined to decide how to distribute between the printing devices used).

Regarding **Claim 16, Barry** further discloses each of the printing requests included in the print demand has identification information for identifying an image to be printed **(Column 19, lines 45-49; Column 31, lines 38-56; Column 32, lines 23-27; See Figures 9, 31, and 32; Noted: Barry disclose identification information; even though it is not directly disclosed, this information is assumed to be information such as metadata, or data about data, of a file which is known in the art at the time of the invention to be incorporated with files and print files and print jobs in a print request to be printed)**, and

said step (b) allocates multiple printing requests for printing at least an image having an identical piece of the identification information to one identical printing device **(Column 14, lines 4-7; Column 14, line 48 - Column 15, line 25; and Column 19, lines 43—65; Note: Barry discloses a system which can separate a document according to certain attributes of the document, in which Barry uses an example of color versus monochrome printing, and in which these attributes can be separated and directed to particular devices according to the parameters of the printing device and the documents attributes. Barry also explains this**

process can be done automatically or be user defined to decide how to distribute between the printing devices used).

Regarding **Claim 17, Barry** further discloses **(c)** detecting a number of printing requests allocated to each of the multiple printing devices **(See Figure 5; and Column 8, line 64- Column 9, line 10)**,

wherein each of the multiple printing devices accepts allocation of printing requests from said print management system to a preset number and successively executes the preset number of printing requests **(Column 8, line 64- Column 9, line 10; and Column 11, line 65 – Column 12, line 14)**, and

said step (b) allocates a printing request on the condition that any of the detected numbers of printing requests allocated to the multiple printing devices is less than the preset number **(See steps of Figure 5; and Column 8, lines 39-63)**.

Regarding **Claim 18, Barry** teaches a print management system **(See systems featured in Figure 1 and Figure 2; Column 3, lines 14-17)** that allocates **(element 422)** each print demand to one of multiple printing devices **(elements 408) (See Figure 15)**, which print an image on a medium like printing paper **(Column 16, lines 34-45)**, said print management system comprising:

(a) receiving a print demand **(Column 16, lines 4-10)**; and

(b) when the received print demand includes a printing request for printing an at least partially identical image with an allocated image of another printing request **(Column 14, lines 49-56; and Figure 12)**, which has already been allocated to any of the multiple printing devices, allocates the printing request for printing the at least partially identical image to a relevant printing device, to which the printing request for printing the allocated image has already been allocated **(Column 14, lines 4-9; Column 14, line 48 – Column 15, line 25; and Column 22, lines 41-57; Barry discloses a system which can separate a document according to certain attributes of the document, in which Barry uses an example of color versus monochrome printing, and in which these attributes can be separated and directed to particular devices according to the parameters of the printing device and the documents attributes. Barry also explains this process can be done automatically or be user defined to decide how to distribute between the printing devices used. In Barry, if two printers were being used, one color for color printing and one for monochrome printing, each separated color and monochrome or other distinguished identification attribute would be printed to the device accordingly)**.

Regarding **Claim 19, Barry** further discloses each of the printing requests included in the print demand has image identification information for identifying an image to be printed **(Column 19, lines 45-49; Column 31, lines 38-56; Column 32,**

lines 23-27; See Figures 9, 31, and 32; Noted: Barry disclose identification information; even though it is not directly disclosed, this information is assumed to be information such as metadata, or data about data, of a file which is known in the art at the time of the invention to be incorporated with files and print files and print jobs in a print request to be printed),

said print management system further comprising the step of: storing the image identification information for identifying the allocated image and the relevant printing device **(Column 2, lines 56-57)**, to which the printing request for printing the allocated image has already been allocated **(Column 16, line 64 - Column 17, line 6)**, into an information storage module **(See "memory" element 414)**,

wherein said step (b) allocates a printing request for printing an image having an identical piece of the image identification information with the stored image identification information for identifying the allocated image to the stored relevant printing device, to which the printing request for printing the allocated image has already been allocated (**Column 14, lines 4-9; Column 14, line 48 – Column 15, line 25; and Column 22, lines 41-57; Barry discloses a system which can separate a document according to certain attributes of the document, in which Barry uses an example of color versus monochrome printing, and in which these attributes can be separated and directed to particular devices according to the parameters of the printing device and the documents attributes. Barry also explains this**

process can be done automatically or be user defined to decide how to distribute between the printing devices used. In Barry, if two printers were being used, one color for color printing and one for monochrome printing, each separated color and monochrome or other identification distinguished attribute would be printed to the device accordingly).

Regarding **Claim 20, Barry** further discloses the step of:

(d) detecting a number of printing requests allocated to each of the multiple printing devices **(See Figure 5; and Column 8, line 64- Column 9, line 10)**,

wherein each of the multiple printing devices accepts allocation of printing requests from said print management system to a preset number and successively executes the preset number of printing requests **(Column 8, line 64- Column 9, line 10; and Column 11, line 65 – Column 12, line 14)**, and

said step (b) allocates a printing request on the condition that any of the detected numbers of printing requests allocated to the multiple printing devices is less than the preset number **(See steps of Figure 5; and Column 8, lines 39-63)**.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JONATHAN R. BECKLEY whose telephone number is (571)270-3432. The examiner can normally be reached on Mon-Fri: 7:30-5:00 EST (Alternate Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TWYLER L. HASKINS can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jonathan R Beckley/
Examiner, Art Unit 2625
/J. R. B./
Examiner, Art Unit 2625
3/12/2008

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625
3/13/08